

08 CV 02147

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ATTORNEYS FOR PLAINTIFF  
SEATRANS ERMEFER TANKERS AS

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SEATRANS ERMEFER TANKERS AS,

Plaintiff,

-against-

LIO YAG SANAYI VE TICARET A.S. a/k/a LIO  
YAG SAN. VE TIC. A.S.,

Defendant.

08 Civ. \_\_\_\_\_

**AFFIDAVIT IN  
SUPPORT OF ATTACHMENT**

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF NEW YORK        )

Michael J. Frevola, being duly sworn, deposes and says:

1. I am a member of the firm of Holland & Knight LLP, attorneys for plaintiff Seatrans Ermefer Tankers AS ("Plaintiff"), and I am duly admitted to practice before the United States District Court for the Southern District of New York.

2. I am familiar with the facts and circumstances underlying this dispute and I am submitting this affidavit in support of the Verified Complaint and the Writ of Attachment.

3. Defendant is not listed in the telephone directory of the principal metropolitan areas in this district, nor is it listed in the Transportation Tickler, a recognized commercial directory in the maritime industry.

4. Our office contacted the Secretary of State for the State of New York and was advised that Defendant is neither a New York business entity, nor was it a foreign business entity authorized to do business in New York.

5. To the best of my information and belief, cannot be found within this district or within the State of New York.

6. Based upon the facts set forth in the Verified Complaint, I respectfully submit that the Defendant is liable to Plaintiff for the damages alleged in the Verified Complaint, which amounts, as best as can be presently determined, amount to a total of \$79,067.56, including estimated interest, expenses and attorneys' fees.

7. Upon information and belief, Defendant has property, goods, chattels or effects within this jurisdiction, to wit: funds or accounts held in the name of Lio Yag Sanayi Ve Ticaret A.S. a/k/a Lio Yag San. Ve Tic. A.S. at one or more of the following financial institutions:

Bank of America, N.A.

Bank of China

The Bank of New York

Citibank, N.A.

Deutsche Bank Trust Company Americas

HSBC Bank USA, N.A.

JPMorgan Chase Bank, N.A.

UBS AG

Wachovia Bank, N.A.

Société Générale

Standard Chartered Bank

BNP Paribas

Calyon Investment Bank

American Express Bank

Commerzbank

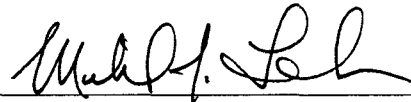
ABN Amro Bank

Bank Leumi USA

Banco Popular

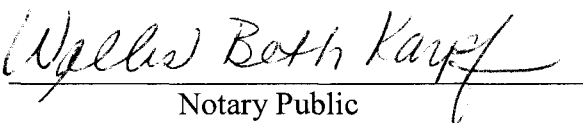
8. Plaintiff is, therefore, requesting that this Court, pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure, issue a writ of maritime attachment for an amount up to \$79,067.56.

**WHEREFORE**, Plaintiff respectfully requests that the application for a writ of maritime attachment and garnishment be granted.



Michael J. Frevola

Sworn to before me this  
3<sup>rd</sup> day of March, 2008

  
Notary Public

# 5146032\_v1

WALLIS BETH KARPF  
Notary Public, State Of New York  
No. 01KA6047092  
Qualified In New York County  
Commission Expires August 28, 2010<sub>3</sub>